

## Wetlands Applications Decision Report

Decisions Taken  
03/06/2017 to 03/12/2017

Approved  
MAT  
3-16-17

### DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

### APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or [atappeals@des.nh.gov](mailto:atappeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MINOR IMPACT PROJECT**

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**2016-02713**

**SEABROOK, TOWN OF**

**SEABROOK Unnamed Wetland**

**Requested Action:**

Retain a total of 953 square feet of impact to include 150 square feet of permanent impact to a forested wetland and 803 square feet of permanent impact with the previously-developed 100-foot tidal buffer zone for the construction of an underdrain along the shoulders of Lower Collins Street.

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**Conservation Commission/Staff Comments:**

9-28-16 - No historic properties affected per DHR.

Inspection Date: 01/11/2017 by EBEN M LEWIS

**APPROVE AFTER THE FACT**

Retain a total of 953 square feet of impact to include 150 square feet of permanent impact to a forested wetland and 803 square feet of permanent impact with the previously-developed 100-foot tidal buffer zone for the construction of an underdrain along the shoulders of Lower Collins Street.

**With Conditions:**

1. All work shall be in accordance with plans by Tighe & Bond dated 1/18/2017 as received by the NH Department of Environmental Services (DES) on January 26, 2017.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02;
2. The impacts were necessary to alleviate drainages issues on Lower Collins Street; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the project on January 1, 2017. Field inspection determined the impacts need to be reduced and riprap removed from the area adjacent to the salt marsh.
6. The agent revised the plans to reflect the removal of the riprap swale. The swale will now be vegetated.
7. No comments were received from the Seabrook Conservation Commission.

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8. NH Division of Historical Resources found "No Historic Properties Affected."

2016-02972

MASON, JOHN

**HAMPSTEAD Unnamed Wetland**

Requested Action:

Dredge and fill 2,650 square feet of palustrine forested wetland along 155 linear feet of intermittent stream (Tier 1 stream) for the construction of one (1) single driveway access and two (2) shared driveways for a seven (7) lot residential subdivision of 21.092.

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Conservation Commission/Staff Comments:

11/28/2016 Con. Com. has requested that the Planning Board retain an Engineering Firm to perform a Wetlands Assessment of the property with the purpose of outlining the effects of the many wetland crossings for which the project plans by MHF did not address the need for erosion and sediment controls, etc. They also request that the culverts be open box. The Con. Com. believes that the easterly crossing has too large a footprint and needs to be eliminated. The Con. Com. also requests that DES send a Wetlands Inspector to review the property first hand.

11-30-16 - No historic properties affected per DHR.

Inspection Date: 02/27/2017 by EBEN M LEWIS

APPROVE PERMIT

Dredge and fill 2,650 square feet of palustrine forested wetland along 155 linear feet of intermittent stream (Tier 1 stream) for the construction of one (1) single driveway access and two (2) shared driveways for a seven (7) lot residential subdivision of 21.092.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated October 6, 2016 and revised through 1/9/17 as received by the NH Department of Environmental Services (DES) on February 10, 2017.
2. This permit is not valid and effective until it has been recorded with the Rockingham County Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project on Lot 7 as identified on the above-referenced plans shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. This permit is not valid unless a subdivision and septic system construction approvals or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Work shall be done in the dry only.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction.
11. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
12. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wing walls, and beyond. Any new materials used must be as

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similar

to the natural stream substrate as practicable, shall not include any angular rock, and must maintain the natural and a consistent streambed elevation and not impede stream flow.

13. Proper headwalls shall be constructed within seven days of culvert installation.

14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).

2. The impacts are necessary to access buildable upland; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. Originally, the applicant proposed to impact 4,900 square feet of forested wetland; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB 16-2635 identifying one (1) invertebrate species of special concern in the vicinity of the proposed impacts: Eastern Pond Mussel (*Ligumia nasuta*).

6. In response to the aforementioned NHB Letter, NH Fish and Game Nongame and Endangered Species Program (NHFG) stated, "We do not expect direct impacts to the eastern pond mussel in Wash Pond from the proposed subdivision. We further recommend that the culverts be RCPs to preserve aquatic species passage opportunities for moisture sensitive wildlife include amphibians at the driveway crossings."

7. In response to the recommendation given by NHFG, the crossings have been revised to include the installation of embedded RCP culverts.

8. The crossings will occur within a Tier 1 stream pursuant to Env-Wt 904.02(a); therefore, the crossings have been designed in accordance with Env-Wt 904.02(b).

9. The Hampstead Conservation Commission stated in an email, "The [Hampstead Conservation] Commission review the original 4 crossing plans in the fall and made the decision then that the best outcome for the Town would be a 3 crossing design. So, at this point the current plan is a good compromise."

10. DES Staff conducted a field inspection of the proposed project on February 27, 2017 and determined that the impact areas are accurately represented on the proposed plans.

2016-03014

STERLING HOMES IN MANCHESTER LLC

MANCHESTER COHAS BROOK

Requested Action:

Dredge and fill 8,624 square feet (SF) of forested and scrub-shrub wetland including 8,227 SF of permanent wetland impacts to construct subdivision roadway crossings and 397 SF of temporary wetland impacts for installation of a stormwater drainage pipe.

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Conservation Commission/Staff Comments:

11/02/2016 Con. Com. approved but requested that the Planning Board, impose the following conditions should the "Board" approve the proposal. First, the Con. Com. requested that the "Board" require the applicant to include in the HOA rules a restriction on the use of fertilizers on the property. Second, the "Commission" requests that the "Board" require signs every 50 ft. along the line of the no-cut buffer shown on the plans. Third, the "Commission" requests that the "Board" require the applicant install signs every 50 ft. along the wetlands of the property identifying the presence of wetlands. Fourth, the Con. Com. requested that the Planning Board require a note be placed on the plan encouraging the Manchester DPW to limit salt use on the proposed Creekside Way due to the presence of a nearby vernal pool.

A Time Ext. request was forwarded to the applicant on 12/27/16. The applicant did not sign and the TE requested issuance of a RFMI instead.

APPROVE PERMIT

Dredge and fill 8,624 square feet (SF) of forested and scrub-shrub wetland including 8,227 SF of permanent wetland impacts to construct subdivision roadway crossings and 397 SF of temporary wetland impacts for installation of a stormwater drainage pipe. Compensatory mitigation for permanent and secondary impacts to satisfy the US Army Corps of Engineers requirements includes a one-time payment of \$25,293.63 into the ARM Fund and provide no-cut/no-disturbance areas and other measures to minimize secondary impacts to a vernal pool located on Lot 9-2.

With Conditions:

1. All work shall be in accordance with plans prepared by Keach-Nordstrom Associates, Inc., titled Twin Brook Subdivision, Map 823 Lot 9, Cohas Avenue, Manchester, NH dated August 10, 2016 with revisions dated February 22, 2017 as received by the New Hampshire Department of Environmental Services (DES) on March 1, 2017.
2. This approval is contingent on receipt by DES of a one-time payment of \$25,293.63 dollars into the Aquatic Resource Mitigation Fund ("ARM"). The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. This permit is not valid unless a subdivision approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
6. The lot areas west of the no-cut buffer on Lot 9-2 and within the drainage easement on Lot 9-1 shall not be developed or used for recreational purposes.
7. The applicant shall submit the exact language of the homeowners association document language regarding fertilizer and pesticide restrictions, prohibiting recreational, residential, and any other type of future development within any of the no-cut/no-disturbance areas to the NHDES Mitigation Program Coordinator prior to commencement of site work.
8. The contractor shall install 'No Cut and No Disturbance' signs on Lot 9-2 located at 50-foot intervals as shown on the plan.
9. The contractor shall install wetland identification plaques every 50 feet along the wetlands as shown on the certified Topographic Subdivision Plans revised on February 22, 2017.
10. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Erosion control matting shall conform to specification ECC-2B.
11. This permit is contingent on submittal of a deed indicating the Subdivision Plan for Map 823 Tax Lot 9 as shown on the plan dated February 22, 2017.
12. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
13. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain conditions #6 and #12 of this approval.
14. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
15. Work shall be done during low flow.
16. Culverts shall be set at grade. No riprap shall be placed at the culvert inlet and outlet.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
18. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
19. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
20. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay

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bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.

22. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

23. Culverts shall be laid at original grade and shall not result in a perched culvert condition.

24. Embankments adjacent to wetlands, culverts, and other stream crossings shall have appropriate slope protection, such as vegetated stabilization, rip-rap, or concrete or stone headwalls, where flowing water conditions exist.

25. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

26. Faulty equipment shall be repaired prior to entering jurisdictional areas.

27. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

28. All refueling of equipment shall occur outside of surface waters or wetlands.

29. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.

30. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

31. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

#### With Findings:

1. This is a Minor impact project per 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-W 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposed wetland impacts are necessary for road access to buildable upland for a residential subdivision, and a temporary wetland impact is required to connect a stormwater basin to an existing stormwater drainage system.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed wetland crossings are situated at the narrowest point of the wetland, or at the uppermost, driest, and lowest functioning point of the wetland. The wetland impact has also been located to maximize the road's distance from Cohas Brook and to minimize the road surface within the 150-foot Natural Woodland Buffer along the brook.

4. The project wetland scientist completed a Wetlands Functions and Values Assessment dated August 23, 2016 and has concluded that the proposed impacts to the functions and values of the wetlands to which alterations are proposed are expected to be insignificant due to the low levels of nearly all potential functions and values. The low functional levels are due primarily to the position of the proposed impacts in the uppermost portions of the wetlands, and the lack of special features such as surface water features in the wetlands to be altered.

5. A Vernal Pool Assessment dated August 23, 2016 resulted in the identification of three vernal pools in the southeastern portion of the property near Cohas Brook.

6. The lot areas west of the no-cut buffer on Lot 9-2 and within the drainage easement on Lot 9-1 shall not be developed or used for recreational purposes, the homeowners association shall include fertilizer and pesticide restrictions, the contractor shall install 'No Cut and No Disturbance' signs on Lot 9-2 located at 50-foot intervals as shown on the plan, the contractor shall install wetland identification plaques every 50 feet along the wetlands as shown on the certified Topographic Subdivision Plans revised on February 22, 2017, and the use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Erosion control matting shall conform to specification ECC-2B.

7. The Conservation Commission voted that it was satisfied with the application, but requested that the Planning Board impose conditions of approval including requiring the applicant to restrict the use of fertilizers in the homeowners association rules. The Commission also requested that the applicant install signs indicating no disturbance every 50 feet along the line of the "no-cut buffer" shown on the plans, install signs every 50 feet along all wetlands on the property, and requested the Planning Board require a note on the plan encouraging the Manchester Department of Public Works to limit salt use on the proposed Creekside Way due to the presence of a nearby vernal pool per letter dated October 28, 2016.

8. The Natural Heritage Bureau NHB Datacheck (NHB 16-2369) Results Letter dated July 29, 2016 indicates the Eastern Hognose Snake (*Heterodon platirhinos*) and the New England Cottontail (*Sylvilagus transitionalis*) has been located within the project vicinity.

9. The NHF&G has reviewed the proposed project and recommends that a non-buildable lot containing the vernal pools will have no recreational purpose and will remain undeveloped other than stormwater and power utility lines. Fertilizer and pesticide use must be restricted, a no cut buffer shall be installed within 50-ft of vernal pools (except for a portion by the proposed roadway), use of specific erosion control matting (ECC-2B), and approves of changing the proposed retaining wall to a geogrid engineered slope. The NHF&G also determined that although there is various young forest on the property the NHF&G does not feel that the patches are dense enough at this time to support New England cottontail per emails dated January 6, 2017 and January 30, 2017.

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10. Compensatory mitigation for permanent and secondary wetland impacts for US Army Corps of Engineers consists of a one-time payment of \$25,293.63 dollars into the Aquatic Resource Mitigation Fund ("ARM"). The project includes 8,277 SF of permanent wetland impacts and secondary impacts that when combined per ACOE were greater than 10,000 SF. The calculated ARM payment was \$50,587.25. A credit of 50% of the calculated ARM payment was applied based on the installation of signage protections for the vernal pool, fertilizer and pesticide restrictions, lot deed restriction around the vernal pool, and geogrid installation in place of a retaining wall.

11. Any significant changes to the proposed wetland impacts will require a permit amendment.

2016-03188

BAKER, MARIE

#### LACONIA LAKE OPECHEE

##### Requested Action:

Impact 700 square feet of protected shoreland, 169 square feet of lake bed, and 57 square feet of bank along 13 linear feet of shoreline in order to permanently remove the existing seasonal docking structures, two submerged concrete pier sections, an enclosed porch extending over public submerged lands, deck, and cabin, install a 22 ft x 14 ft seasonal pier accessed by a 4 ft x 14 ft walkway, repair 25 linear feet of retaining wall, and construct a new cabin, enclosed porch, and deck on an average of 187 feet of frontage along Lake Opechee, in Laconia.

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##### APPROVE PERMIT

Impact 700 square feet of protected shoreland, 169 square feet of lake bed, and 57 square feet of bank along 13 linear feet of shoreline in order to permanently remove the existing seasonal docking structures, two submerged concrete pier sections, an enclosed porch extending over public submerged lands, deck, and cabin, install a 22 ft x 14 ft seasonal pier accessed by a 4 ft x 14 ft walkway, repair 25 linear feet of retaining wall, and construct a new cabin, enclosed porch, and deck on an average of 187 feet of frontage along Lake Opechee, in Laconia.

##### With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated February 1, 2017, as received by DES on February 8, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
4. The concrete pier sections and all construction-related debris shall be placed outside of the areas subject to RSA 482-A.
5. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
6. This permit does not allow dredging for any purpose.
7. There shall be no plumbing in the cabin unless a septic system is constructed in accordance with an approval obtained from the DES Subsurface Systems Bureau.
8. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
9. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
10. In order to comply with RSA 483-B:9, V, (b), (2), NO native vegetation shall be removed from the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line as part of this project.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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13. No impacts to natural ground cover shall occur within the waterfront buffer.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), removal of permanent docking structures from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This application and approval also fulfill the permitting requirements of RSA 483-B:5-b for this project.
6. This project results in a 41 square foot reduction in the size of the seasonal pier located on the frontage.

**MINIMUM IMPACT PROJECT**

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2011-00150

LEPSEVICH, WILLIAM

GOFFSTOWN HARRY BROOK

Requested Action:

Request permit time extension.

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Inspection Date: 08/18/2010 by CHRIS T BRISON

**APPROVE TIME EXTENSION**

Impact a total of approximately 1,240 square feet of stream in two locations (approximately 600 square feet at the "driveway" location, and approximately 800 square feet at the "access road" location) to remove failing twin 36" culverts and replace with an 18' wide by 20' long concrete span bridge in each location; maintenance dredge 1,400 square feet of accumulated sediments from behind existing farm pond dam.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated 1/25/2012, as received by the NH Department of Environmental Services (DES) on 2/1/2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Prior to the commencement of work the permittee shall coordinate with Mike Marchand of NH Fish and Game Department ("NHFG") to determine precautions to be taken to protect the Northern Black Racer during construction activities. The permittee shall submit documentation to DES that this coordination has taken place to the satisfaction of NHFG.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during low flow.



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7. Prior to commencing work on a substructure located within surface waters, a sandbag diversion cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2014-03487

PETER L GORDON REVOCABLE TRUST

**RYE ATLANTIC OCEAN**

Requested Action:

Applicant proposes an amendment request by changing the projects access area resulting in a 192 square foot increase in temporary impacts.

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Conservation Commission/Staff Comments:

2/20/15 Per DHR, no historic properties affected.

APPROVE AMENDMENT

Impact a total of 4,794 square feet (SF) within the 100-foot tidal buffer zone (3,260 SF permanent & 1,726 SF temporary construction impacts) for work associated with the reconstruction and stabilization of the existing storm damaged stone revetment along 100 linear feet of shoreline frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with the following plans by Ambit Engineering, Inc.
  - a.) Dated October 2014 and revised through 11/20/14 as received by the NH Department of Environmental Services (DES) on December 18, 2014, and,
  - b.) 'Construction Access Plan' dated 2/17/17 as received by DES on March 7, 2017.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. The repairs shall maintain the size, location and configuration of the pre-existing structure with the exception of a change in height to the top of the revetment to compensate for settling.
5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
6. Work on the beach front shall be done during periods of low tide.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands jurisdiction.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands jurisdiction.

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With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A waiver of Env-Wt 304.04(a) Setback From Property Lines is granted as the abutter located at 67 Harbor Road, Rye Tax Map 9.2/Lot No.5 was notified by certified mail, but did not respond to the notice.
6. Granting of this waiver request will not result in an adverse effect to the environment or the natural resources of the state, public health or public safety or have an impact on abutting properties that is more significant than that which would result from complying with the rule.
7. This waiver request meets all requirements set forth in Env-Wt 204.02, Env-Wt 204.03 & Env-Wt 204.04.

2016-03311

MAFFETT, BAXTER

RINDGE POOL POND

Requested Action:

Remove 16 linear feet of retaining wall and restore the shoreline with boulders and native plantings on an average of 100 feet of frontage along Pool Pond in Rindge.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1-6-17 - No historic properties affected per DHR.

APPROVE PERMIT

Remove 16 linear feet of retaining wall and restore the shoreline with boulders and native plantings on an average of 100 feet of frontage along Pool Pond in Rindge.

With Conditions:

1. All work shall be in accordance with plans by Barbara Maffett dated received by DES on November 21, 2016, and February 28, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
10. The boulders shall be located landward of the shoreline at the normal high water, and shall not extend more than 2 feet lakeward of that line at any point.
11. The permittee/permittee's contractor shall revegetate the disturbed area in accordance with the approved plan.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

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waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), alteration of less than 50 feet of shoreline along a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2016-03546

NH FISH & GAME DEPT

PIERMONT ARMINGTON LAKE

Requested Action:

Dredge and fill 6,800 square feet (SF) of bed and bank, impacting 147 linear feet (LF) of shoreline, for maintenance and repair of the Lake Armington Dam. In addition, temporarily impact 2,700 SF (69 LF), for construction of a temporary cofferdam.

\*\*\*\*\*

APPROVE PERMIT

Dredge and fill 6,800 square feet (SF) of bed and bank, impacting 147 linear feet (LF) of shoreline, for maintenance and repair of the Lake Armington Dam. In addition, temporarily impact 2,700 SF (69 LF), for construction of a temporary cofferdam.

With Conditions:

1. All work shall be in accordance with plans by NH Department of Environmental Services (DES) Dam Bureau dated July 13, 2015, last received by the DES Wetlands Bureau on March 06, 2017.
2. This permit is not valid until a final plan, stamped by a licensed Professional Engineer, has been received by the DES Wetlands Bureau in accordance with New Hampshire Administrative Rule Env-Wt 303.04(l).
3. This permit is not valid until signed authorization from the abutting land owner, whose property will be utilized for construction access and staging, is received by the DES Wetlands Bureau in accordance with New Hampshire Administrative Rule Env-Wt 304.04.
4. The permittee/permittee's contractor shall commence construction as soon as possible, following ice-out, in order to complete the project before Fall of the same year, per New Hampshire Fish and Game recommendations.
5. A qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, to monitor for Common Loons that may nest near the work area.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Code of Administrative Rules Env-Wq 1400 during and after construction.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Code of Administrative Rules Env-Wq 1700.
8. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
9. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
10. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a

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preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

14. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.

15. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.

16. Filter fabric shall be installed under the rip-rap.

17. Any fill used shall be clean sand, gravel, rock, or other suitable material; not to include angular rip-rap, beyond that shown on the approved plan.

18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

19. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

20. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

21. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

22. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

23. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

24. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

25. Erosion control products shall be installed per manufacturers recommended specifications.

26. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.

27. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.

28. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

29. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

30. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

31. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

#### With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(x), as all impacts are for the purposes of maintenance and in-kind repair to an existing legal non-docking structure.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. This permit is contingent upon receipt by the DES Wetlands Bureau of signed authorization from the abutting landowner for use of their property for the purposes of temporary construction access and staging, in accordance with New Hampshire Administrative Rule Env-Wt 304.04.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

6. The permit is contingent upon receipt by the DES Wetlands Bureau of a final plan set, stamped by a Professional Engineer, in accordance with New Hampshire Administrative Rule Env-Wt 303.04(l).

7. No comments of concern on the proposed project were received by DES from abutters or local governing organizations.

8. The Natural Heritage Bureau (NHB) report submitted with the application (NHB16-3529) identified potential impacts to the Common Loon (state threatened).

9. In correspondence dated November 29, 2016, NHFG provided detailed recommendations to the applicant regarding time of year restriction and monitoring during construction to avoid and minimize potential impacts to local nesting Loons.

10. In correspondence dated December 03, 2014, the applicant has requested that the DES Wetlands Bureau waive the requirement for a certified wetland scientist (CWS) to stamp the plan.

11. As the project classification was lowered from Major to Minimum, the requirement for a CWS stamped plan is no longer applicable, in accordance with New Hampshire Administrative Rule Env-Wt 301.01(g).

12. In correspondence dated March 03, 2017, the applicant provided a revised calculation for the total linear feet (LF) of shoreline to be impacted by the project. The originally proposed LF of shoreline actually represented the LF of the perimeter

of the entire impact area.

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2017-00431**

**HALE, MARK/TERRIE**

**BARRINGTON Unnamed Wetland**

**Requested Action:**

Proposal to dredge and fill 398 square feet of wetlands to install an 18 inch x 25 foot culvert associated with construction of a driveway to a single family house lot.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

2/24/17 As per DHR, no historic properties affected.

**APPROVE PERMIT**

Dredge and fill 398 square feet of wetlands to install an 18 inch x 25 foot culvert associated with construction of a driveway to a single family house lot.

**With Conditions:**

1. All work shall be in accordance with plans by Jason B. Pohopek dated January 30, 2017 as received by the NH Department of Environmental Services (DES) on February 9, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
11. No fill shall be done for lot development.
12. No fill shall take place in Atlantic white cedar swamps.
13. Work shall be done during low flow.
14. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
15. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

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18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the wetland impact is necessary to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project makes use of an existing driveway now to be shared, and is for a 12 foot wide driveway with only 398 square feet of impact.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This work was approved previously under NHDES Wetlands Permit #2006-00329, but expired March 20, 2011.
6. This project is not adjacent to Barrington designated prime wetlands.
7. The Barrington Conservation Commission signed the DES application waiving its right to intervene, believes that the application and submitted plans accurately represent the proposed project, and has no objection to permitting the proposed work.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

2017-00234

PEARL, RICK/LISA

**RINDGE MONOMONAC LAKE**

Requested Action:

Replace 45 linear feet of timber retaining wall with 45 linear feet of fieldstone retaining wall in the dry in accordance with plans by Cody Gordon dated February 3, 2017.

\*\*\*\*\*

PBN IS COMPLETE

Replace 45 linear feet of timber retaining wall with 45 linear feet of fieldstone retaining wall in the dry in accordance with plans by Cody Gordon dated February 3, 2017.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c).

2017-00482

NELSON, JOHN  
GREAT AMERICAN PROPERTIES LLC

**DURHAM LITTLE BAY**

Requested Action:

Replace in-kind a maximum of 18 pilings supporting an existing 154' long tidal docking structure, associated with in the dry reconstruction in-kind of the existing structure.

\*\*\*\*\*

Conservation Commission/Staff Comments:

PBN was signed by the Con. Com. for 10 day processing.

PBN IS COMPLETE

Replace in-kind a maximum of 18 pilings supporting an existing 154' long tidal docking structure, associated with in the dry reconstruction in-kind of the existing structure.

2017-00581

CODY, KENNETH/JAMIE

**MEREDITH LAKE WINNIPESAUKEE**

Requested Action:

Install 2 seasonal personal watercraft lifts and a 4 ft x 8 ft seasonal ramp to the north of an existing 47 ft long pier on an average of 186 ft of frontage along Lake Winnepesaukee in Meredith.

\*\*\*\*\*

PBN DISQUALIFIED

Install 2 seasonal personal watercraft lifts and a 4 ft x 8 ft seasonal ramp to the north of an existing 47 ft long pier on an average of 186 ft of frontage along Lake Winnepesaukee in Meredith.

With Findings:

1. The installation of a seasonal ramp has not been designated as a project which qualifies for the permit by notification process under Rule Env-Wt 506.01, Projects Qualifying for Permit by Notification.
2. If the ramp were considered to be the equivalent of a 4 ft x 8 ft seasonal pier the project would still not qualify for permit by notification due to the existence of the adjacent 48 ft long pier.

2017-00591

ARGERSINGER, JOHN/FRANK

**TUFTONBORO LAKE WINNIPESAUKEE**

Requested Action:

Repair a 10 ft x 49 ft full crib pier on approximately 200 ft of frontage along Lake Winnepesaukee in Wolfeboro.

\*\*\*\*\*

PBN IS COMPLETE

Repair a 10 ft x 49 ft full crib pier on approximately 200 ft of frontage along Lake Winnepesaukee in Wolfeboro.

With Findings:

1. This project in a minimum impact project per Rule Env-Wt 303.04 (v).

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2017-00622

**BATEMAN, GERALDINE  
FRAIZER AVE CAMP PROPERTY TRUST**

**NEWBURY SUNAPEE LAKE**

Requested Action:

Repair or replace cribs supporting a boathouse and residence located in part over public submerged lands and on frontage along Lake Sunapee in Newbury.

\*\*\*\*\*

PBN IS COMPLETE

Repair or replace cribs supporting a boathouse and residence located in part over public submerged lands and on frontage along Lake Sunapee in Newbury.

With Findings:

1. This is a minimum impact project per Rule Env-Wt 303.04 (v).

2017-00642

**MERTENS, EDWARD/LAURIE**

**ALTON LAKE WINNIPESAUKEE**

Requested Action:

Replace pilings supporting a wharf and two residences located in part over public submerged lands and in part on lands owned by the NH Department of Transportation having frontage along Lake Winnepesaukee in Alton.

\*\*\*\*\*

PBN IS COMPLETE

Replace pilings supporting a wharf and two residences located in part over public submerged lands and in part on lands owned by the NH Department of Transportation having frontage along Lake Winnepesaukee in Alton.

With Findings:

1. This is a minimum impact project per Rule Env-Wt 303.04 (v).
2. The Applicant has provided a copy of written permission obtained from the NH Department of Transportation for the proposed repair work.

**FORESTRY NOTIFICATION**

\*\*\*\*\*

2017-00603

**FAULKNER, JANICE/SAMUEL**

**RUMNEY Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

Rumney Tax Map #11, Lot #2-9



**2017-00608**                      **BURKHEAD, EDYTHE/RICK**

**ROCHESTER**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Rochester Tax Map #129, Lot #55

**2017-00611**                      **SMITH, STEPHEN**

**STEWARTSTOWN**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Stewartstown Tax Map #236, Lot #21

**2017-00614**                      **BAYROOT LLC**

**ATK GIL GRANT**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Atk. Gil. Grant Tax Map #1628, Lot #2

**2017-00635**                      **MANCHESTER WATER WORKS**

**AUBURN Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Auburn Tax Map #10, Lot #3

**2017-00647**                      **MANCHESTER WATER WORKS**

**AUBURN Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Auburn Tax Map #3, Lot #7

2017-00649

CARDINAL, JOHN

FARMINGTON Unnamed Stream

\*\*\*\*\*

2017-00650

MANCHESTER WATER WORKS

AUBURN

\*\*\*\*\*

COMPLETE NOTIFICATION  
Auburn Tax Map #19, Lot #1

2017-00672

CHILDS, STARLING

SALISBURY Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
Salisbury Tax Map #214, Lot #2

TRAILS NOTIFICATION

\*\*\*\*\*

2017-00590

TOWN OF HANOVER

HANOVER Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
Hanover Ta Map #1, Lot #15

**GOLD DREDGE**

\*\*\*\*\*

**2017-00610                      SHUMWAY, DURLAND**

**(ALL TOWNS)   Unnamed Stream**

\*\*\*\*\*

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

**2017-00616                      SPRAGUE, STEVEN**

**(ALL TOWNS)   Unnamed Stream**

\*\*\*\*\*

Conservation Commission/Staff Comments:  
Cc Bath Con Com

**2017-00619                      ANDERSON, NICHOLAS**

**(ALL TOWNS)   Unnamed Stream**

\*\*\*\*\*

**2017-00623                      MCNEELY, RICK**

**(ALL TOWNS)**

\*\*\*\*\*

Conservation Commission/Staff Comments:  
CC Bath Con Com

APPROVE PERMIT  
Gold Dredge

**2017-00624                      DORVAL, JOHN**

**(ALL TOWNS)   Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Gold Dredge

2017-00678

CASSAVAUGH, GENE

(ALL TOWNS) Unnamed Stream

\*\*\*\*\*

Conservation Commission/Staff Comments:  
CC Bath Con Com

APPROVE PERMIT  
Gold Dredge

LAKES-SEASONAL DOCK NOTIFICATION

\*\*\*\*\*

2017-00509

JK LOVELL LLC  
THACHER, JEFFREY

WAKEFIELD LOVELL LAKE

Requested Action:  
Install a 5 ft x 30 ft seasonal pier.

\*\*\*\*\*

COMPLETE NOTIFICATION  
Install a 5 ft x 30 ft seasonal pier.

2017-00549

BOTNICK, DOROTHY/RICHARD  
DHALIWAL, IQBAL

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:  
Install a 4 ft x 40 ft seasonal pier.

\*\*\*\*\*

COMPLETE NOTIFICATION

Install a 4 ft x 40 ft seasonal pier.

2017-00582

HERRMANN, LARS

LACONIA OPECHEE BAY

Requested Action:

Install a 6 ft x 30 ft seasonal pier.

\*\*\*\*\*

COMPLETE NOTIFICATION

Install a 6 ft x 30 ft seasonal pier.

UTILITY NOTIFICATION

\*\*\*\*\*

2017-00605

NATIONAL GRID

PELHAM Unnamed Wetland

\*\*\*\*\*

SHORELAND PERMIT

\*\*\*\*\*

2012-00662

HEBOLD, DIANE/WALTER

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Request permit time extension.

\*\*\*\*\*

APPROVE TIME EXTENSION

Impact 4,745 sq ft in order to construct a 95 sq ft addition to existing residence, relocate a guest house to the north, construct a 14 ft x 18 ft shed, install a new patio and landing, and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 6, 2012 and received by the NH Department of Environmental Services (DES) on March 21, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 11.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,505 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.
2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

2016-02428

MCCORMACK NH REALTY TRUST

ASHLAND SQUAM RIVER

Requested Action:

Applicant requests an amendment to include temporary impact associated with municipal sewer hook-up and removal of Approval Condition relative to obtaining a septic approval.

\*\*\*\*\*

APPROVE AMENDMENT

Impact 8,650 square feet of protected shoreland in order to raze a nonconforming primary structure and construct a conforming residential primary structure, driveway and walkway, relocate a shed, and connect to municipal sewer service.

With Conditions:

1. All work shall be in accordance with amended plans by Ames Associates revised February 1, 2017 and received by the NH Department of Environmental Services (DES) on February 6, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 2,520 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-02889

**DOUGLAS & THERESA HANSON 2000 REVOCABLE TRUST**

**MEREDITH LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 8,600 square feet of protected shoreland in order to remove a nonconforming primary structure, walkways, shed, and driveway and construct a conforming primary structure, septic system, and driveway.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 8,600 square feet of protected shoreland in order to remove a nonconforming primary structure, walkways, shed, and driveway and construct a conforming primary structure, septic system, and driveway.

Temporary Waiver Granted: Temporarily reduce the area of the Woodland Buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (b) for the purposes of constructing a conforming primary structure. Post-construction restoration planting required.

**With Conditions:**

1. All work shall be in accordance with revised plans by Ames Associates dated November 9, 2016 and received by the NH Department of Environmental Services (DES) on February 8, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Within 60 days of the completion of the framing of the proposed structure the Permittee shall have replanted and restored native vegetation within an area of at least 1,000 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line. This vegetation shall then be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that restoration of the Natural Woodland Buffer has occurred to the DES Wetlands Bureau.
7. Following replanting, the restored Woodland Buffer areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other man-made materials. Native vegetation within an area of at least 2,300 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. The Permittee is responsible for submitting monitoring reports and photos of restored areas to the DES Wetlands Bureau at six (6) months following completion of plantings and then annually for a duration of three (3) years in order to document compliance with the restoration plan.
9. The Permittee is responsible for replacing all failed plantings in order to maintain compliance with the restoration plan.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching with straw during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The proposed infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
15. Photographs documenting the construction of the proposed infiltration trenches shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
16. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

With Findings:

1. In accordance with RSA 483-B:9, V, (i) The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. Portions of the primary structure and driveway currently on the property, identified as Lot 32 on Meredith Tax Map U19, are nonconforming in that they are located within 50 ft. of the reference line.
3. The project as proposed will result in the removal of the nonconforming structures. All new structures will be located behind the primary building setback.
4. The Applicant requests a temporary waiver of RSA 483-B:9, V, (b) pertaining to the minimum area of the Woodland Buffer in which vegetation must remain in an unaltered state for the purposes of constructing the conforming primary structure.
5. The Applicant has submitted replanting plans outlining the restoration of sufficient area of the natural waterfront buffer so as to meet the requirements of RSA 483-B:9, V, (b) upon completion of the project.
6. The strict compliance with the minimum standards of RSA 483-B:9, V, (b), will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a temporary waiver to RSA 483-B:9, V, (b) have been met.

2016-02976

COOK, DOUGLAS/JANE

ALTON LAKE WINNIPESAUKEE

Requested Action:

Impact 2,194 square feet of protected shoreland in order to construct a shed and conduct landscaping including regrading, construction of a retaining wall, pathways and benches.

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APPROVE PERMIT

Impact 2,194 square feet of protected shoreland in order to construct a shed and conduct landscaping including regrading, construction of a retaining wall, pathways and benches.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes dated September 9, 2016 and received by the NH Department of Environmental Services (DES) on October 13, 2016.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 14.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 1,344 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics



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of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. No impacts to natural ground cover shall occur within the waterfront buffer.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00028

GIROUARD, CAROLINE A/MICHAEL A

**ALTON LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 6,059 square feet of protected shoreland in order to construct an addition to the primary structure and a septic system.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 6,059 square feet of protected shoreland in order to construct an addition to the primary structure and a septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group dated February 27, 2017 and received by the NH Department of Environmental Services (DES) on February 28, 2017.
2. Neither the new primary structure addition nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Native vegetation within an area of at least 2,448 sq ft within the Natural Woodland Buffer located between 50 and 150 ft landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
5. No more than 10.28% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00033

O'TOOLE, PETER

**BARNSTEAD HALF MOON POND**

Requested Action:

Impact 5,363 square feet of protected shoreland in order to raze the existing camp and construct a new camp with covered porches and a bulkhead, install a new septic system, construct a driveway over the new septic system, and relocate an existing shed.

\*\*\*\*\*

APPROVE PERMIT

Impact 5,363 square feet of protected shoreland in order to raze the existing camp and construct a new camp with covered porches and a bulkhead, install a new septic system, construct a driveway over the new septic system, and relocate an existing shed.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc dated February 21, 2017 and received by the NH Department of Environmental Services (DES) on February 24, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Native vegetation within an area of at least 2,150 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
5. No more than 18.82% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00306

ROCKWOOD REALTY

SANDOWN CUB POND

Requested Action:

Impact 2,740 square feet of protected shoreland in order to install a new septic system.

\*\*\*\*\*

APPROVE PERMIT

Impact 2,740 square feet of protected shoreland in order to install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle, LLS dated January 12, 2017 and received by the NH Department of Environmental Services (DES) on January 27, 2017.
2. All actions associated with the installation of the septic system must be approved by the DES Subsurface Systems Bureau prior to excavation.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. native vegetation shall be allowed to remain in a unaltered state within an area equaling at least 25% of the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

2017-00346

NEWELL, LEONARD

AMHERST BABOOSIC LAKE

Requested Action:

Impact 4,032 square feet of protected shoreland in order to construct a two bedroom house with attached garage and pervious patio.

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APPROVE PERMIT

Impact 4,032 square feet of protected shoreland in order to construct a two bedroom house with attached garage and pervious patio.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan dated January 27, 2017 and received by the NH Department of Environmental Services (DES) on February 6, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 7.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
5. Native vegetation within an area of at least 34,916 sq ft within the Natural Woodland Buffer located between 50 and 150 ft landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

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8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

2017-00354

BEK FAMILY TRUST

#### FRANKLIN WEBSTER LAKE

##### Requested Action:

Impact 9,500 square feet of protected shoreland in order to construct a dwelling with attached garage, associated driveway, walkways, and septic system.

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##### APPROVE PERMIT

Impact 9,500 square feet of protected shoreland in order to construct a dwelling with attached garage, associated driveway, walkways, and septic system.

##### With Conditions:

1. All work shall be in accordance with plans by David B. Krause, LLS dated January 25, 2017 and received by the NH Department of Environmental Services (DES) on February 1, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Information, including photographs, on the identification of Hairy Hudsonia (*Hudsonia tomentosa*) shall be provided to all individuals working on the site. Particular care shall be exercised to avoid any adverse impacts to, or accidental destruction of this species. If observed, the Natural Heritage Bureau shall be contacted for further recommendations.
7. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
8. Native vegetation within an area of at least 4,453 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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2017-00396

NASWA MOTOR INN INC  
NASWA MOTOR INN INC

LACONIA LAKE WINNIPESAUKEE

Requested Action:

Impact 4,258 square feet of protected shoreland in order to replace existing concrete crib retaining wall that supports Weirs Boulevard and adjacent north parking lot landscaping with a modular block retaining wall.

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APPROVE PERMIT

Impact 4,258 square feet of protected shoreland in order to replace existing concrete crib retaining wall that supports Weirs Boulevard and adjacent north parking lot landscaping with a modular block retaining wall.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering dated October 4, 2016 and received by the NH Department of Environmental Services (DES) on February 6, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 56% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

2017-00399

BATES JR, ROBIN/WALLACE

OSSIPEE CONNER POND

Requested Action:

Impact 9,000 square feet (SF) of protected shoreland in order to construct a 2 bedroom residence, storage/screen room located 20 feet from the shoreline, install a septic tank and sewer pump line, expand the walkway and install a drilled well.

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APPROVE PERMIT

Impact 9,000 SF of protected shoreland in order to construct a 2 bedroom residence, storage/screen room located 20 feet from the shoreline, install a septic tank and sewer pump line, expand the walkway and install a drilled well.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 3, 2017 and received by the NH Department of Environmental Services (DES) on February 6, 2017.

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2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,955 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed stormwater management plan shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Temporary impacts associated with the pathway and the accessory structure within the waterfront buffer shall be restored with native vegetation.
12. Photographs documenting the construction of the proposed drywell shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
13. All temporary impact areas shall be restored to their original grades.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
17. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00403

CASELDEN, DONNA/EDWARD  
HANLON, FRANCIS/PAMELA

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Impact 3,350 square feet of protected shoreland in order to reduce the extent of the existing driveway, replace a section of driveway with a pervious patio, restore sections of the natural woodland buffer, replace stone steps, and construct a pervious patio.

\*\*\*\*\*

APPROVE PERMIT

Impact 3,350 square feet of protected shoreland in order to reduce the extent of the existing driveway, replace a section of driveway with a pervious patio, restore sections of the natural woodland buffer, replace stone steps, and construct a pervious patio.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 18, 2017 and received by the NH Department of Environmental Services (DES) on February 6, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into

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areas in which impacts have not been approved.

3. No more than 28.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All planting and reduction of driveway footprint as shown on the approved plans shall be completed prior to any construction within the waterfront buffer.
5. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
6. Within 90 days of project completion the Permittee shall provide documentation, including photos, showing that restoration of the Natural Woodland Buffer has occurred to the DES Wetlands Bureau.
7. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
8. Following planting, the restored Woodland Buffer areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials. Native vegetation within an area of at least 2,340 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
10. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00404

MAHER, LEONA/ROBERT

#### MOULTONBOROUGH LAKE WINNIPESAUKEE

##### Requested Action:

Impact 4,750 square feet of protected shoreland in order to construct a house and septic system on an island property.

\*\*\*\*\*

##### APPROVE PERMIT

Impact 4,750 square feet of protected shoreland in order to construct a house and septic system on an island property.

##### With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated January 20, 2017 and received by the NH Department of Environmental Services (DES) on February 6, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 2.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

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additional approval is obtained from DES.

5. Native vegetation within an area of at least 6,057 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

14. All temporary impact areas shall be restored to their original grades.

2017-00440

COAKLEY, TIMOTHY/SUSAN

#### MOULTONBOROUGH LAKE WINNIPESAUKEE

##### Requested Action:

Impact 5,000 square feet of protected shoreland in order to construct a porch, patio, two sets of steps, expansion of the existing driveway, and infiltration trenches. Also proposed is regrading and removal of unaltered area.

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##### APPROVE PERMIT

Impact 5,000 square feet of protected shoreland in order to construct a porch, patio, two sets of steps, expansion of the existing driveway, and infiltration trenches. Also proposed is regrading and removal of unaltered area.

##### With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 27, 2017 and received by the NH Department of Environmental Services (DES) on February 10, 2017.

2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

3. No more than 29.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.

5. Native vegetation within an area of at least 3,260 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. The proposed infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.

8. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.



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9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

2017-00444

MASON, KARL

#### HAMPTON MEADOW POND

##### Requested Action:

Impact 14,174 square feet (SF) of the protected shoreland in order to construct 2 units and associated paved area of a proposed 5 unit condominium complex.

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##### APPROVE PERMIT

Impact 14,174 square feet (SF) of the protected shoreland in order to construct 2 units and associated paved area of a proposed 5 unit condominium complex.

##### With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc. dated January 17, 2017 and received by the NH Department of Environmental Services (DES) on February 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 26.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 41 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

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2017-00449

**PENNICHUCK WATER WORKS INC  
PENNICHUCK WATER WORKS INC**

**MERRIMACK MERRIMACK RIVER**

**Requested Action:**

Impact 12,298 square feet of protected shoreland in order to replacing the current water supply intake pipe with one at a lower elevation. The project also involves connecting the Pennichuck water distribution system in Merrimack to Litchfield. This will require the installation of 5,600 linear feet of 16 inch and 18 inch diameter water main and water intake pipe. The water main will run subsurface and underwater across the Merrimack River.

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**Conservation Commission/Staff Comments:**

2/24/17 Email received from LMRLAC; Concern was expressed regarding sediment disturbances and the stability concerning the positioning of the intake grate in a deep recess.

**APPROVE PERMIT**

Impact 12,298 square feet of protected shoreland in order to replacing the current water supply intake pipe with one at a lower elevation. The project also involves connecting the Pennichuck water distribution system in Merrimack to Litchfield. This will require the installation of 5,600 linear feet of 16 inch and 18 inch diameter water main and water intake pipe. The water main will run subsurface and underwater across the Merrimack River.

**With Conditions:**

1. All work shall be in accordance with plans by Tighe & Bond Consulting Engineers dated February 1, 2017 and received by the NH Department of Environmental Services (DES) on February 10, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 16.21% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
6. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
7. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

**With Findings:**

- 1) The Lower Merrimack River Local Advisory Committee (LMRLAC) submitted comments to NHDES regarding this proposal on February 24, 2017 expressing their support for the project and concerns regarding the possible mobilization of contaminated sediment and the stability of the riverbed at the location of the intake.
- 2) Concerns regarding possible mobilization of contaminated sediments have been addressed in permit condition 9 which states "No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to

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cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700." The LMRLAC has also recommended to the owner and the applicant that additional sampling and testing of sediments could mitigate the risk of violating this condition.

3) Concerns regarding the stability of the riverbed do not fall within the jurisdiction of this shoreland permit and may be addressed as part of the wetlands permit for impacts associated with installing the intake. This is addressed in permit condition & which states "This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.". The LMRLAC has also recommended to the owner and the applicant that additional bathymetric survey(s) be completed to determine the stability of the riverbed.

